

10-27-05

1/10

Attorney Docket No. 2500-000020
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/729,429)
Filing Date: December 12, 2003)
Group Art Unit: 1742)
Applicant: Qingfa LI)
Examiner: Daniel J. JENKINS)
Title: PRODUCTION OF COMPOSITE)
MATERIALS BY POWDER)
INJECTION MOLDING AND)
INFILTRATION)

**RESPONSE TO RESTRICTION
REQUIREMENT**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail #EV 570 162 777 US (3/9/2005) in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on October 26, 2005.
By: [Signature] Attorney for Registrant

Commissioner of the United States
Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

This is in response to the Office Action dated October 3, 2005 in the above-captioned matter, the due date for replying to which extends until November 3, 2005.

In the Office Action the Examiner indicated that under 35 U.S.C. 121 restriction to one of the following inventions was required:

- I. Claims 1-16, drawn to a method of making a composite material, classified in class 419, subclass 27, and
- II. Claim 17, drawn to a composite material, classified in class 75, subclass 228.

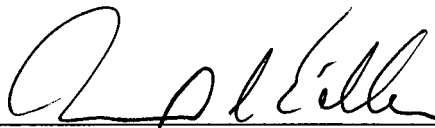
Applicant respectfully disagrees with and traverses the Examiner's restriction requirement regarding the disposition of claims. More particularly, claims 1 through 16 are drawn to a method of making a composite material, whereas claim 17 is drawn to a composite material

produced by the method described in claims 1 through 16. Indeed, all of the features of independent claim 1 can be found as corresponding features in independent claim 17. Applicant was unable to follow the Examiner's reasoning under item 2 of the restriction requirement, inasmuch as such reasoning fails to acknowledge the above-mentioned relationship between independent claim 1 and independent claim 17. Accordingly, withdrawal of the restriction requirement is respectfully requested.

If the restriction requirement is maintained, applicant provisionally elects with traverse claims 1 through 16 to be examined. At the same time, Applicant reserves the right to file one or more continuation or divisional applications for the non-elected claim(s).

Applicant believes that the outstanding Office Action has been fully responded to herein and that the application is in condition for substantive examination, which action is earnestly solicited at the earliest possible time. If the Examiner has any questions or comments or believes that personal contact will expedite prosecution of this application, he/she is encouraged to contact the undersigned at (248) 641-1600.

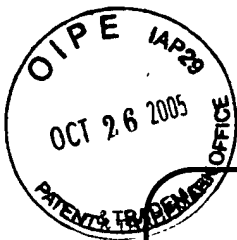
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Paul A. Keller', written over a horizontal line.

Paul A. Keller
Reg. No. 29,752
Attorney for Applicants

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, MI 48303
(248) 641-1600

Dated: October 26, 2005
PAK/par
Attorney Docket No. 2500-000020

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/729,429	
	Filing Date	December 5, 2003	
	First Named Inventor	Qingfa LI	
	Art Unit	1742	
	Examiner Name	Daniel JENKINS	
Total Number of Pages in This Submission	3	Attorney Docket Number	2500-000020

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Office Action Regarding Restriction Requirement, and reply postcard		
<table border="1"><tr><td>Remarks</td><td>The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.</td></tr></table>			Remarks	The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.
Remarks	The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Paul A. Keller	Reg. No. 29,752
Signature			
Date	October 26, 2005		

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Paul A. Keller	Express Mail Label No.	EV 717 344 755 US (10/26/2005)
Signature		Date	October 26, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EV 717 344 755 US